DETAILED ACTION

Supplemental Action

1. This office action is issued simply to acknowledge the fact that Applicant filed a Request for Continued Examination on May 28, 2011, which was not acknowledged in the office action mailed on June 21, 2011.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on *** has been entered.

Status of Claims

3. Claims 175 – 197 are pending.

Claims 175, 183, 88 and 193 are amended.

The rejections under 35 USC 101, 112-1st and 2nd paragraphs and 103(a) are maintained.

The claims objection is changed to an indication of non-compliant amendments based on Applicant's amendments of the claims.

Applicant's submission of a Petition for Relief for Application 11/360,087 as a supplemental amendment on January 16, 2011 and as an IDS on January 17, 2011 is acknowledged.

Claim Objection

4. Claim 193 is objected to because of the following informality:

The word "a" still exists in claim 193 as "storing a one or more". This appears t obe a typographical error which Applicant has been asked in prior office actions to correct by deleting the preposition "a" or making some other change in the wording to have this limitation more clearly communicate Applicant's claimed invention.
Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

5. Claims 183-187 and 193-197 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

The interim guidelines issued in July 27, 2010 USPTO Deputy Commissioner Robert Bahr regarding 35 USC 101 include the following in Factors Weighing Against Eligibility. These guidelines include the following factors weighing against Eligibility:
Under Insufficient Recitation of a machine or Transformation:

- A machine is merely nominally related to the performance of the process.
- Machine is generically recited such that it covers any machine capable of performing the claimed step(s).
- A machine is merely an object on which the method operates.

Based upon consideration of all the relevant factors with respect to the claim as a whole, claims 183 and 193 are held to claim an abstract idea, and are therefore rejected as ineligible subject matter under 35 USC 101. The rationale for this finding is explained below.

Independent claims 183 and 193 recite a process comprising preparing, processing, obtaining, searching, storing, counting, classifying, developing, quantifying and outputting. Dependent claims 183-187 and 194-197 are rejected because of their dependence on independent claims 183 and 193.

Based on Supreme Court precedent, one of the tests for a proper process is for the process to be tied to another statutory class or transform underlying subject matter to a different state or thing (*Diamond v. Diehr,* 450 U.S. 175, 184 (1981); *Parker* v. *Flook,* 437 U.S. 584, 588 n.9 (1978); *Gottschalk v. Benson,* 409 U.S. *63,* 70 (1972); *Cochrane* v. *Deener,* 94 U.S. 780,787-88 (1876)). Since neither of these requirements is met by the claim, the method may not be considered a patent eligible process under 35 U.S.C. 101. To qualify as a statutory process, the claim should positively recite the other statutory class to which it is tied, for example by identifying the apparatus that accomplished the method steps or positively reciting the subject matter that is being transformed, for example by identifying the material that is being changed to a different state. Without these elements the invention involves human interaction which is not patentable subject matter.

The machine-or-transformation test is a two-branched inquiry; an applicant may show that a process claim satisfies § 101 either by showing that his claim is tied to a particular machine, or by showing that his claim transforms an article. See Benson, 409 U.S. at 70. Certain considerations are applicable to analysis under either branch. First, as illustrated by Benson and discussed below, the use of a specific machine or transformation of an article must impose meaningful limits on the claim's scope to impart patent-eligibility. See Benson, 409 U.S. at 71-72. Second, the involvement of the machine or transformation in the claimed process must not merely be insignificant extra-solution activity. See Flook, 437 U.S. at 590. (*In re Bilski*, En banc, U.S. Court of Appeals for the Federal Circuit, Washington, DC, Oct. 30, 2008). Per *In re Bilski*, these requirements must be present in each meaningful limitation step and must not merely rely on such limitations in the preamble.

Applicant is referred to the Board of Patent Appeals and Interferences' Informative en banc Opinion *Ex parte Langemyer et al*- http://iplaw.bna.com/iplw/5000/split_display.adp?fedfid=10988734&vname=ippqcases2&wsn=500826000&searchid=6198805&doctypeid=1&type=court&mode=doc&split=0&scm=5000&pg=0

This opinion states that mathematical manipulations of data do not become patent eligible subject matter even when performed on a computer and outputted to a display.

In the instant case, the limitations beginning with searching, storing, counting, classifying, developing and quantifying contain significant solution activity and must therefore contain the statutory component or refer to it. The remaining steps may contain the statutory component as well, but is not required since they are insignificant solution activities.

Further, the statutory component must more specifically be an automated programmed electronic computer or programmed computer processor or programmed computer server, since simply a computer could mean a human using a desktop computer to perform all of the linking steps by hand using various tools including a computer to perform all of the claimed tasks. For example, the first limitation containing the statutory component should be stated as " searching through the use of an automated programmed electronic computer system for one or more ...". Then, if the claimed invention is in fact a computer automated process, each prior (optional) and succeeding step could simply state "by" the computer system ...". Otherwise a human could still be using a computer to perform any steps which simply claim a "computer system".

Applicant has failed to amend independent method claims 183 and 193 to comply with this statutory requirement in Applicant's response received on January 5, 2011.

It is unclear to the examiner whether Applicant's disclosure supports the needed statutory components since a human figure is included in the drawings.

Applicant may have support for overcoming this rejection. If so. Applicant needs to point the location of the needed support in the response to this office action.

Claim Rejections - 35 USC § 112

The following is a quotation of the first paragraph of 35 U.S.C. 112:

> The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

6. Claims 175-197 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

a) The claim(s) contains subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. The claims limitations language in light of the specification is too general in order for an ordinary practitioner to specifically know what the invention is and to be able to apply it in a specific manner. The data inputs have no concrete basis and are purely subjective, as are the keywords. Also subjective are the user inputs. Further, the very nature of the problem presented in the Background section and the description of the invention in the summary make any solution unique, arbitrary and indefinite. All inputs are forced to be unique and subjective according to the assumptions and biases of judgment of each user.

b) Regarding claims 177, 179, 181, 187, 192 and 197, the expression "common schema" is absent in the specification so that a practitioner would be forced to invent his own definition for such a common schema.

c) Therefore, there is no objective answer possible. All solutions to the process of this invention are guaranteed to be unique and highly subjective. The search results will accordingly be unique to every search. No two ordinary practitioners of the art working independently would be capable of replicating the results of implementing this invention. For purposes of examination the examiner is forced to make prior art search assumptions in order to locate prior art which the broadest reasonable interpretation.

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

7. Claims 175-197 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

a) The claims limitations language in light of the specification is too general in order for an ordinary practitioner to specifically know what the invention is and to be able to apply it in a specific manner. The data inputs have no concrete basis and are purely subjective, as are the keywords. Also subjective are the user inputs. The expression "common schema" is absent in the specification so that a practitioner would be forced to invent his own definition for such a common schema. Further, the very nature of the problem presented in the Background section and the description of the invention in the summary make any solution unique, arbitrary and indefinite. All inputs are forced to be unique and subjective according to the assumptions and biases of judgment of each user. Therefore, there is no objective answer possible. All solutions to the process of this invention are guaranteed to be unique and highly subjective. The search results will accordingly be unique to every search. No two ordinary practitioners of the art working independently would be capable of replicating the results of implementing this invention. For purposes of examination the examiner is forced to make prior art search assumptions in order to locate prior art which the broadest reasonable interpretation.

b) Specific indefiniteness contained in the claimed limitations, with claim 183 as exemplary:

- preparing a plurality of data from a plurality of organization related systems, a user input and an Internet for use in processing obtaining one or more keywords and a set of classification rules for each keyword from a user – how is this data defined,? .. how are the organization related systems defined ?
- searching for one or more keywords matches on the Internet – how does one define the "one or more key words" ?
- storing one or more locations for each keyword match found during the search of the Internet – how are the locations defined ?

- counting and classifying said matches from each stored location for each keyword – how is the classifying defined ?
- transforming said counts for each keyword into one or more performance indicators and a summary of said performance indicators for each keyword – how are the "one or more keyword performance indicators using said counts for each keyword defined" ? how is the "summary of said performance indicators for each keyword" defined ?
- developing a model of an organization financial performance by a category of value from the prepared data that utilizes the summaries for each keyword as an input – how is the "model of an organization financial performance by a category of value that utilizes the summaries for each keyword as an input" defined ?
- quantifying and outputting a contribution of each of the one or more keywords to the organization financial performance by the categories of value using said model of organization financial performance where keyword performance indicators are linked together when they are not independent, and where the categories of value are selected from the group consisting of current real operations, real options and market sentiment – how is the quantifying defined ? how is outputting defined ? what is the definition of "keyword performance indicators are linked together when they are not independent," – when are they linked together and when are they independent ? What are the categories of value from each of current operations, real options and market sentiment ? What distinguishes a real option from a fake or unreal option ? How are eligible market sentiments defined ?

Re. claim 184 and related – how is keyword relevance defined ?

8. Future Amendments

Applicant is advised to avoid new matter in complying with these requirements, and to refer to the locations of support in the specification when making such amendments.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 175-181 & 188-192 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pant et al. (US Patent 6,012,053, hereafter Pant) in view of Sandretto (US Patent 5,812,988).

Re. Claims 175 and 188, with claim 175 as exemplary, Pant discloses a computer implemented keyword relevance storage device and system, comprising:

- preparing a plurality of data, a user input and an Internet for processing (user input – Col. 1, ll. 54-55; Fig. 1, 108; Fig. 2, 108; Preparation of plurality of data - Fig. 3, 150-172; Internet processing and external databases – Col. 3, ll. 14-32); and
- obtaining one or more keywords and a set of classification rules for each keyword from a user (use of rules - Col. 1, ll. 18, 42.);
- searching for one or more keywords matches on the Internet (col. 3, ll. 14-32),
- storing a one or more locations for each keyword match found during the search of the Internet (Fig. 3, 172; Fig. 4, 206),
- counting and classifying said matches from each stored location for each keyword (Col. 1, ll. 56-62; Fig. 3, 168, 174, 176, 180),
- transforming said counts for each keyword into one or more performance indicators and a summary of said performance indicators for each keyword (Fig. 3, 158, 166, 174, 176),

Sandretto also discloses the use of key words in economic and value modeling – Col. 2, l. 48; Col. 3, l. 41; col. 25, ll. 42-43.

Preparing a plurality of data from a plurality of organization related systems suggests integration of a plurality of data by the user in order to formulate his search. While Pant implies the integration of a plurality of data by the user in order to formulate his search, Pant does not explicitly disclose "integrating a plurality of data from a plurality of organization related systems". However, Sandretto discloses integrating a plurality of data from a plurality of organization related systems (Abstract – ll. 1-2; Col. 8, l. 52 – Col. 9, l. 39; portfolio generation – Col. 8, ll. 58, 61, integrating data from a plurality of organization related systems – Col. 8, 61—Col. 9, l. 19).

Pant does not explicitly disclose

- developing a linear or non-linear model of an organization value by a category of value from the prepared data that utilizes the summaries for each keyword as an input,
- quantifying and outputting a contribution of each of the one or more keywords to the organization financial performance by the categories of value using said model of organization value where keyword performance indicators are linked together when they are not independent, and where the categories of value are selected from the group consisting of current real operations, real options and market sentiment.

However, Sandretto discloses a model of organizational financial performance by a category of value from the prepared data that utilizes the summaries for each keyword as an input (Col. 8, l. 52 – Col. 9, l. 39). It would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the art of Pant for conducting relevance search with the art of Sandretto for developing a linear or non-linear model of organization financial performance by category of value that quantifies an impact of each of one or more keyword performance indicators where a plurality of keywords and classification information are obtained from user input. Also, "obtaining one or more keywords and a set of classification rules for each keyword from a user " is an implicit part of the method disclosed by Pant and Sandretto and as such would have been an obvious component of determining the relevance to a keywords as disclosed in Pant (Col. 1, ll. 56-62; Fig. 3, 168, 174, 176, 180). Further, the ordinary

practitioner would have seen it as obvious to quantifying and outputting a contribution of each of the one or more keywords to the organization financial performance of value using said model of organization financial performance where keyword performance indicators are linked together when they are not independent, and where the categories of value are selected from the group consisting of current real operations, real options and market sentiment. The reason is that this is a routine activity for such a practitioner for preparing the output results of such modeling.

Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Pant with the disclosures of Sandretto in order to develop a computer implemented keyword relevance method, motivated by the desire to provide a method for estimating asset risks and values (Sandretto, Col. 8, ll. 52-53).

The clause "where keyword performance indicators are linked together when they are not independent" is not considered because it is Nonfunctional Descriptive Material. It does not further limit the claims (MPEP 2106, IV, 1. (b),).

Re. Claims 176 & 189, Pant discloses or suggests using quantified keyword contributions comprising a measure of keyword relevance (Fig. 3). Pant does not explicitly disclose wherein the organization physically exists. However, Sandretto discloses wherein the organization physically exists (Estimating returns on assets of an organization– Col. 1, ll. 10-15; Col. 7, ll. 16-17; Col. 8, l. 52 - Col. 9, l. 19).

Re. Claims 177, 181 & 192, Pant discloses storing data in an application database (see the rejections of claims 175, 183 and 188).

Pant does not explicitly disclose wherein each keyword maps to the common schema. However, the use of a common schema would have been obvious to the ordinary practitioner since this is an implicit requirement for doing a search which has to be organized instead of being non-directional and meaningless, since any organized search will have a focused goal, i.e. a common schema.

Re. Claims 178 & 190, Pant does not explicitly disclose wherein a plurality of organization related systems are selected from the group consisting of advanced financial systems, basic financial systems, alliance management systems, brand

management systems, customer relationship management systems, channel management systems, intellectual property management systems, process management systems, vendor management systems, operation management systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems, enterprise resource planning systems (ERP), material requirement planning systems (MRP), scheduling systems, supply chain systems, quality control systems, purchasing systems, risk management systems and combinations thereof. However, selecting a plurality of these related systems would have been obvious to the ordinary practitioner from the disclosure of Sandretto, for example capital asset systems, accounts receivable systems, accounts payable systems, inventory systems, etc.. (Col. 8, l. 52 – Col. 9, l. 19). Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Pant with the disclosures of Sandretto in order to develop a computer implemented keyword relevance method, motivated by the desire to provide a method for estimating asset risks and values (Sandretto, Col. 8, ll. 52-53).

Re. Claims 180 and 182, the following limitations are not explicitly disclosed by Pant:

Re. Claims 180, wherein a data processing method further comprises storing a plurality of converted data in one or more tables to support organization processing.

Re. Claims 182, wherein each of quantified key word contributions comprise a measure of relevance.

However, **Re. Claims 180 and 182,** these steps would have been obvious to the ordinary practitioner at the time of Applicant's invention because they are logical elements of a computer automated search process.

Re. Claims 179 & 191, Pant does not explicitly disclose wherein the steps further comprise multiplying the quantified contribution of each keyword to each category of value by the value of each category of value to determine the value of each keyword to the organization.

However, multiplying the quantified contribution of each keyword to each category of value by the value of each category of value to determine the value of each keyword to the organization would have been obvious to the ordinary practitioner from the disclosure of Sandretto, including components of value, sub components of value, known value drivers, elements of value, sub elements of value, non-relevant attributes and combinations thereof (Col. 8, l. 52 – Col. 9, l. 19). Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Pant with the disclosures of Sandretto in order to develop a computer implemented keyword relevance method, motivated by the desire to provide a method for estimating asset risks and values (Sandretto, Col. 8, ll. 52-53).

Re. Claim 193, Pant discloses a computer implemented keyword relevance method, storage device and system, comprising:

- preparing a plurality of data from a plurality of organization related systems, a user input and an Internet for use in processing obtaining one or more keywords and a set of classification rules for each keyword from a user (user input – Col. 1, ll. 54-55; Fig. 1, 108; Fig. 2, 108; Fig. 3, 152; Internet and external databases – Col. 3, ll. 14-32);
- searching for one or more keywords matches on the Internet (col. 3, ll. 14-32),
- storing a one or more locations for each keyword match found during the search of the Internet (Fig. 3, 172; Fig. 4, 206),
- counting and classifying said matches from each stored location for each keyword (Col. 1, ll. 56-62; Fig. 3, 168, 174, 176, 180),
- creating one or more keyword performance indicators (Fig. 3, 158, 166),

While Pant implies the integration of a plurality of data by the user in order to formulate his search, and then teaching the integration of data through the relevancy oriented search process, Pant does not explicitly disclose "integrating a plurality of data from a plurality of organization related systems". However, Sandretto discloses integrating a plurality of data from a plurality of organization related systems (Abstract – ll. 1-2; Col.

8, l. 52 – Col. 9, l. 39; portfolio generation – Col. 8, ll. 58, 61, integrating data from a plurality of organization related systems – Col. 8, 61—Col. 9, l. 19).

Pant does not explicitly disclose

- developing a model of an organization financial performance by a category of value that utilizes the summaries for each keyword as an input,
- quantifying and outputting a contribution of each of the one or more keywords to the organization financial performance of value using said model of organization financial performance where keyword performance indicators are linked together when they are not independent, and where the categories of value are selected from the group consisting of current real operations, real options and market sentiment

However, Sandretto discloses a model of organizational financial performance by category of value that utilizes the summaries for each keyword as an input (Col. 8, l. 52 – Col. 9, l. 39). It would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the art of Pant for conducting relevance search with the art of Sandretto for developing a model of organization financial performance by category of value that quantifies an impact of each of one or more keyword performance indicators where a plurality of keywords and classification information are obtained from user input. Also, "obtaining one or more keywords and a set of classification rules for each keyword from a user " is an implicit part of the method disclosed by Pant and Sandretto and as such would have been an obvious component of determining the relevance to a keywords as disclosed in Pant (Col. 1, ll. 56-62; Fig. 3, 168, 174, 176, 180). Further, the ordinary practitioner would have seen it as obvious to quantifying and outputting a contribution of each of the one or more keywords to the organization financial performance of value using said model of organization financial performance where keyword performance indicators are linked together when they are not independent, and where the categories of value are selected from the group consisting of current real operations, real options and market sentiment. The reason is that this is a routine activity for such a practitioner for preparing the output results of such modeling.

Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Pant with the disclosures of Sandretto in order to develop a computer implemented keyword relevance method, motivated by the desire to provide a method for estimating asset risks and values (Sandretto, Col. 8, ll. 52-53).

The clause "where keyword performance indicators are linked together when they are not independent" is not considered because it is Nonfunctional Descriptive Material. It does not further limit the claims (MPEP 2106, IV, 1. (b),).

Re. Claim 194, Pant discloses or suggests using quantified keyword contributions comprising a measure of keyword relevance (Fig. 3). Pant does not explicitly disclose wherein the organization physically exists. However, Sandretto discloses wherein the organization physically exists (Estimating returns on assets of an organization– Col. 1, ll. 10-15; Col. 7, ll. 16-17; Col. 8, l. 52 - Col. 9, l. 19).

Re. Claim 195, Pant does not explicitly disclose wherein a plurality of organization related systems are selected from the group consisting of advanced financial systems, basic financial systems, alliance management systems, brand management systems, customer relationship management systems, channel management systems, intellectual property management systems, process management systems, vendor management systems, operation management systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems, enterprise resource planning systems (ERP), material requirement planning systems (MRP), scheduling systems, supply chain systems, quality control systems, purchasing systems, risk management systems and combinations thereof. However, selecting a plurality of these related systems would have been obvious to the ordinary practitioner from the disclosure of Sandretto, for example capital asset systems, accounts receivable systems, accounts payable systems, inventory systems, etc.. (Col. 8, l. 52 – Col. 9, l. 19). Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Pant with the disclosures of Sandretto in order to develop a computer implemented keyword

relevance method, motivated by the desire to provide a method for estimating asset risks and values (Sandretto, Col. 8, ll. 52-53).

Re. Claims 196, Pant does not explicitly disclose wherein the steps further comprise multiplying the quantified contribution of each keyword to each category of value by the value of each category of value to determine the value of each keyword to the organization. However, multiplying the quantified contribution of each keyword to each category of value by the value of each category of value to determine the value of each. keyword to the organization would have been obvious to the ordinary practitioner from the disclosure of Sandretto, including components of value, sub components of value, known value drivers, elements of value, sub elements of value, non-relevant attributes and combinations thereof (Col. 8, l. 52 – Col. 9, l. 19). Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Pant with the disclosures of Sandretto in order to develop a computer implemented keyword relevance method, motivated by the desire to provide a method for estimating asset risks and values (Sandretto, Col. 8, ll. 52-53).

Re. Claim 197, Pant does not explicitly disclose wherein each keyword maps to the common schema. However, the use of a common schema would have been obvious to the ordinary practitioner since this is an implicit requirement for doing a search which has to be organized instead of being non-directional and meaningless, since any organized search will have a focused goal, i.e. a common schema.

10. Claim 183 is rejected under 35 U.S.C. 103(a) as being unpatentable over Pant **Re. Claim 183,** even though not in exactly the identical manner, Pant discloses or suggests a method for determining the relevance of a keyword, comprising: using a computer Col. 3, ll. 14-31) to complete the step of:

preparing a plurality of data, a user input and an Internet for processing (user input – Col. 1, ll. 54-55; Fig. 1, 108; Fig. 2, 108; Preparation of plurality of data - Fig. 3, 150-172; Internet processing and external databases – Col. 3, ll. 14-32). Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Pant with his own knowledge in order to

develop a computer implemented keyword relevance method, motivated by the desire to provide a method for searching for items within a collection (Pant, Col. 1, ll. 13-14).

11. Claims 184-187 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pant as applied to claim 183 above, and further in view of Sandretto

Re. Claim 184, Pant discloses or suggests using quantified keyword contributions comprising a measure of keyword relevance (Fig. 3). Pant does not explicitly disclose wherein the organization physically exists. However, Sandretto discloses wherein the organization physically exists (Estimating returns on assets of an organization– Col. 1, ll. 10-15; Col. 7, ll. 16-17; Col. 8, l. 52 - Col. 9, l. 19).

Re. Claim 185, Pant does not explicitly disclose wherein a plurality of organization related systems are selected from the group consisting of advanced financial systems, basic financial systems, alliance management systems, brand management systems, customer relationship management systems, channel management systems, intellectual property management systems, process management systems, vendor management systems, operation management systems, sales management systems, human resource systems, accounts receivable systems, accounts payable systems, capital asset systems, inventory systems, invoicing systems, payroll systems, enterprise resource planning systems (ERP), material requirement planning systems (MRP), scheduling systems, supply chain systems, quality control systems, purchasing systems, risk management systems and combinations thereof. However, selecting a plurality of these related systems would have been obvious to the ordinary practitioner from the disclosure of Sandretto, for example capital asset systems, accounts receivable systems, accounts payable systems, inventory systems, etc.. (Col. 8, l. 52 – Col. 9, l. 19). Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Pant with the disclosures of Sandretto in order to develop a computer implemented keyword relevance method, motivated by the desire to provide a method for estimating asset risks and values (Sandretto, Col. 8, ll. 52-53).

Re. Claim 186, Pant does not explicitly disclose wherein the steps further comprise multiplying the quantified contribution of each keyword to each category of value by the value of each category of value to determine the value of each keyword to the organization.

However, multiplying the quantified contribution of each keyword to each category of value by the value of each category of value to determine the value of each keyword to the organization would have been obvious to the ordinary practitioner from the disclosure of Sandretto, including components of value, sub components of value, known value drivers, elements of value, sub elements of value, non-relevant attributes and combinations thereof (Col. 8, l. 52 – Col. 9, l. 19). Therefore, it would have been obvious to an ordinary practitioner of the art at the time of Applicant's invention to have combined the disclosures of Pant with the disclosures of Sandretto in order to develop a computer implemented keyword relevance method, motivated by the desire to provide a method for estimating asset risks and values (Sandretto, Col. 8, ll. 52-53).

Re. Claim 187, Pant discloses storing data in an application database (see the rejections of claims 175, 183 and 188).

Pant does not explicitly disclose wherein each keyword maps to the common schema. However, the use of a common schema would have been obvious to the ordinary practitioner since this is an implicit requirement for doing a search which has to be organized instead of being non-directional and meaningless, since any organized search will have a focused goal, i.e. a common schema.

Response to Arguments

12. Applicant's arguments filed on May 28, 2011 have been fully considered but they are not persuasive.

ARGUMENTS: Applicant has traversed the rejections under 35 USC 101, 35 USC 112-1st paragraph and 2nd paragraph, and the rejections under 35 USC 103(a) (pp. 8-9)..

RESPONSE:

1) THE MATTER OF LAW

MPEP 2141, IV.

If an applicant disagrees with any factual findings by the Office, an effective traverse of a rejection based wholly or partially on such findings must include a reasoned statement explaining why the applicant believes the Office has erred substantively as to the factual findings. A mere statement or argument that the Office has not established a *prima facie* case of obviousness or that the Office's reliance on common knowledge is unsupported by documentary evidence will not be considered substantively adequate to rebut the rejection or an effective traverse of the rejection under 37 CFR 1.111(b). Office personnel addressing this situation may repeat the rejection made in the prior Office action and make the next Office action final. *See* MPEP § **706.07(a)**. **706.07(a)**. (underlining added).

EXAMINER'S SUMMARY: In other words, a proper traversal requires a combination of evidence and rationale sufficient to put the examiner's rejection into serious question

2) IN THE INSTANT CASE, Applicant has failed to submit a proper traversal since Applicant has merely made bald assertions without providing the required combination of evidence and rationale which would put the examiner's basis of rejection into serious question.

Conclusion

13. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Siegfried Chencinski whose telephone number is (571)272-6792. The Examiner can normally be reached Monday through Friday, 9am to 6pm.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Charles Kyle, can be reached on (571) 272-6746.
Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks, Washington D.C. 20231

or Faxed to (571*)273-8300* [Official communications; including After Final communications labeled "Box AF"]

or Faxed to *(571) 273-*6792 [Informal/Draft communications, labeled "PROPOSED" or "DRAFT"]

Hand delivered responses should be brought to the address found on the above USPTO web site in Alexandria, VA.

/SIEGFRIED E. CHENCINSKI/

Examiner, Art Unit 3695

July 5, 2011